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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Martinas KUSLYS et al.

Confirmation No.: 4832

Application No.: 09/760,727

Group Art Unit: 1761

Filing Date: January 17, 2001

Examiner: C. Paden

For: BALANCED FOOD POWDER
COMPOSITION

Attorney Docket No.: 88265-408

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Mail Stop AF

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision dated March 27, 2003, of the Primary Examiner finally rejecting claims 1 to 22 of the above-identified application.

An extension of time for responding to the final rejection for two months was filed July 31, 2003, while an extension of time for an additional month is being filed concurrently herewith.

A timely response to the final rejection was filed July 31, 2003.

A fee in the amount of \$320.00 is required. Please charge the required fee to Winston & Strawn LLP Deposit Account No. 50-1814. A copy of this sheet is enclosed.

Respectfully submitted,

Date

Sept. 26, 2003

E. Bradley Gould
For: Allan A. Fanucci

(Reg. No. 41,792)
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